

# Form Instructions for Divorce with Children and with Agreement on All Issues

## READ BEFORE YOU USE THIS PACKET

When you sign a court document, you may be helping or hurting your case. Before you sign any court document or get involved with a court case, it is important that you get advice from a lawyer to make sure you are doing the right thing.

Going to court without a lawyer is risky, and if you choose to be unrepresented, you must be prepared. This form packet has been created to help you, but certain courts have their own procedures and may not accept every form. In fact, courts in some counties have their own local form packets and may prefer that you use them. Check with your county clerk’s office to find out: <http://courts.in.gov/2808.htm>.

You may go to court without representation, but you will have to abide by the appropriate court rules, including Indiana Rules of Evidence, Indiana Rules of Trial Procedure, and any local rules. Learn more about going to court without a lawyer in an informative video at <http://courts.in.gov/2616.htm>.

For additional information, you may refer to the Indiana Self-Service Legal Center that can be found at <http://courts.in.gov/selfservice>. For legal advice about your case, you should get in touch with a lawyer.

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## Step 1: Who should use this packet

You should use these instructions and the forms listed if you want to divorce your spouse **AND**:

1. You or your spouse have lived in Indiana for at least the past six months and one of you has lived in your current county for at least the past three months;
2. You have biological or adopted minor children with your spouse;
3. You are not currently pregnant with your spouse's child, or your spouse is not pregnant with your child;
4. Neither you nor your spouse is currently in the military; and
5. You and your spouse **do** have an agreement on custody/parenting time and how property should be divided.

If either you are or your spouse is in the military, or if you are or your spouse is pregnant, **DO NOT** use these instructions and the forms listed. There are special issues in your case that these forms do not address, and you need to seek legal advice from a lawyer.

If you are seeking a protection order, you may obtain a petition form from the Clerk of the Court or seek help from a victim advocate. A petition for a protection order must be filed as a separate case from this dissolution matter. For more information, see <http://courts.in.gov/selfservice/2352.htm>.

## Step 2: Prepare your forms

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*Specific instructions for each form begin on page 5.*

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You should fill out the following forms:

Form Title	Form Number	Details	When to File
Appearance By Unrepresented Person in Civil Case	TCM-TR31-7	This form notifies the court that you intend to participate in a civil case.	See Step 4
Confidential Form-Not for Public Access	TCM-TR3.1-4	You will put all confidential information for the Appearance Form such as Social Security numbers. This form must be printed on green paper.	See Step 4
Verified Petition for Dissolution of Marriage and Agreement	PS-31152-14	This form asks the court to grant you a divorce and approve the agreement made between the parties.	See Step 4
Summons	TCM-TR4.1-2	This form notifies your spouse that you have filed for divorce and that your spouse must also file an appearance in the case in order to participate in it.	See Step 4
Verified Waiver of Final Hearing	PS-31152-2	This form informs the court that you and your spouse agree to the terms of the divorce and you are waiving your right to a final hearing.	See Step 4
Decree of Dissolution of Marriage	PS-31152-9	This form is the final order of the court ending the marriage and outlining the final arrangements for things like child custody, parenting time, and housing.	See Step 6

You can either print the blank forms and fill them out by hand, or fill them out on the computer and then print them out, but you need to learn more about what color paper to use and how many copies you'll need:

- See *Step 3* for important information about using green paper to print the Confidential Form.
- Review your local court rules to find out how many copies you will need, and any additional forms or procedures required in your county. Read your county's local rules here: <http://courts.in.gov/2694.htm>
- In addition to the forms above, you will need to prepare child support forms. See *Step 5* for more information.

If you cannot afford it, you may ask the court to waive the divorce filing fee. To do so, complete the **Motion for Fee Waiver in a Divorce** form packet at <http://courts.in.gov/selfservice/2347.htm>.

## Step 3: Printing your completed forms & understanding confidentiality

By law court records are available to the public, and upon request anyone can look in almost any court file. The law also provides that certain information must remain confidential even if it is part of a court record. ***Such confidential information must be filed on green paper*** so that everyone can easily identify it and not release it to the public. It is important that you know what information is confidential and that you submit it to the court on green paper.

Confidential information that should be filed on green paper includes:

- Social Security numbers,
- Bank account numbers,
- Tax records,
- PIN numbers,
- Medical records,
- Child abuse records.

For more information on this you may review Administrative Rule 9(G) at <http://www.in.gov/judiciary/rules/admin>.

### *What to File on Green Paper in this Packet.*

File the Confidential Form on green paper. Remaining forms in this packet do not ask for confidential information, so they may be filed on white paper.

## Step 4: File your forms

Take the originals and copies of the following forms to the Clerk of the Court in the county where you (or your spouse) have lived for at least the last three months:

- Appearance By Unrepresented Person in Civil Case
- Confidential Form – Not for Public Access
- Verified Petition for Dissolution of Marriage and Agreement
- Summons

Locate your Clerk's Office here: <http://courts.in.gov/2808.htm>

The Clerk will provide the case number and process the forms. The Clerk will stamp the forms with a filing date and give you back a copy.

The summons and other papers you file to start the case cannot be served by first-class mail. In order to begin your case you must personally notify your spouse that you will be filing for divorce. This can be done by having the Sheriff deliver a copy to your spouse or leave a copy at your spouse's residence, or by you sending the paperwork to your spouse by registered or certified mail. This is called "service" or "being served." After the summons has been served, any new documents that need to be filed must be served, and can be done by first-class mail, fax, or email. Methods of service can vary by county, so ask your Clerk's Office about your options.

## Step 5: File your final forms

After at least 60 days have passed since you filed your Verified Petition for Dissolution of Marriage, take to the Clerk of the Court the originals and copies of:

- Waiver of Final Hearing
- Decree of Dissolution

The Clerk will keep the decree for the judge to sign. When you file your Decree of Dissolution, you must provide the court with three copies and two pre-addressed stamped envelopes so the Clerk can mail one final copy to you and one to your spouse or their attorney.

## Step 6: The Decree of Dissolution

Because you and your spouse have agreed to waive the final hearing, the judge will review the final documents and will sign your Decree of Dissolution and mail a copy to both you and your spouse.

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*You are divorced when the judge signs the Decree of Dissolution.  
You should not get re-married until you have a copy of the  
Decree of Dissolution signed by the Judge.*

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## Form Instructions

The instructions below correspond to the line numbers on the forms. Please make sure you fill in all the lines listed.

### *Instructions for filling out the*

### Appearance by Unrepresented Person in Civil Case (Form #TCM-TR3.1-7)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior and Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the Clerk will assign a number.
4	"In re the _____ of:" Enter the word <i>Marriage</i> and leave the space next to it blank.
5	Enter your full name.
8	Enter your spouse's full name.
12	Enter your full name.
13	Check this box if you are the person starting the case.
14	Check this box if you are the person responding to this case.
15	Check this box if you are the person intervening in this case (you are a third party to this case).
22-24	Enter your mailing address.
25	Enter your email address.

Line #	Instructions
26	Check the box if you will accept electronic service of documents in your case at the email address you provided on line 25. Counties with electronic service may not send any documents by mail if you check this box, so if you are willing to accept electronic service, be sure to regularly check your email inbox for new messages about your case. You can ask the Clerk about their electronic service practices.
27	Enter the phone number at which you would like to be contacted about your case.
28	If you have a fax, enter your fax number.
29	Check the box if you are willing to accept service of documents in your case at the fax number you provided.
32	Check the box if you prefer not to provide a mailing address where you are staying, but instead would like to receive service of documents in your case through the confidential address provided by the Attorney General's Office. This is typically used in cases involving domestic violence to keep your current address confidential.
33	<b>Leave blank.</b> The Clerk will provide this information.
41-42	Check the "Yes" box.
44-45	If you have any other pending cases related to your divorce case, check the "Yes" box. Otherwise, check the "No" box
47-52	If you checked "Yes" on Line 44, enter the caption(s) and case number(s).
53	Provide additional, information, if any, required by your county's local rules. Read your county's local rules here: <a href="http://courts.in.gov/2694.htm">http://courts.in.gov/2694.htm</a>
55	Sign your name.

*Instructions for filling out the*  
Confidential Form, Not for Public Access Form (Form #TCM-TR3.1-4)

Line #	Instructions
4	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
5	In the blank after the word “Room,” enter the court number.
6	Enter the name of the county where you are filing these papers. Leave the case number blank because the clerk will assign your case a number.
7	“In re the _____ of:” Enter the word <i>Marriage</i> and leave the space next to it blank.
8	Enter your full name.
11	Enter the name of your spouse.
14-21	Enter the name and social security number of each minor child you have with the other party.

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*REMINDER: This form is to be printed on green paper.*  
*For more information about confidentiality of court records, see Indiana*  
*Administrative Rule 9(G) at <http://www.in.gov/judiciary/rules/admin>*

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*Instructions for filling out the*  
Verified Petition for Dissolution of Marriage (Form #PS-31152-14)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word “Room,” enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the Clerk will assign a number.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
11	Do not check this box.
12	Enter your full name.
13	“Petitioner and Respondent were married on _____” Enter the day, month and year that you were married.
13	“...and separated on _____” Enter the day, month, and year that you were separated.
14	“_____ has been a continuous resident...” Enter the name of the person (either you or your spouse) who has lived in the county for the last three months.
14	“...has been a continuous resident of _____ County.” Enter the name of the county where you are filing these papers.
16	Enter the name of the person (either you or your spouse) who has lived in the state of Indiana for the last six months.
20	Check this box and enter the number of children that you and your spouse have together.



Line #	Instructions
22-25	Enter the name and date of birth of each child you have with your spouse.
26	Enter the name of the parent you want to have custody of your children.
29	If there are no debts or property to divide, check this box.
30	If there is property that your spouse has that you want, or debts that you owe that you think your spouse should pay, check this box.
29-32	If you checked the box in Line 28, list the items or debts.
35	Enter the name of the wife if she is <b>not</b> pregnant. If the wife is pregnant, leave this blank.
39	If you are the wife and would like your former name, check this box and enter your former name.
40	If you are the wife and do not wish to change to your former name, check this box.
44	Check this box.
59	Sign your name.
61	Enter your name.
62-64	Enter your mailing address.
67	Handwrite the date this form is sent by first class mail.
68	Sign the petition.

*Instructions for filling out the*  
Summons (Form #TCM-TR4.1-2)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word “Room,” enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the Clerk will assign a number.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
12-	Enter your spouse’s full name.
13-15	<b>Enter your spouse’s address.</b>
28-30	<b>Leave blank.</b> The Clerk will fill this out.
32-34	Check the box that says how you would like your spouse to be served. Please note that each of these methods have additional charges, and discuss this with the Clerk.
36-71	<b>Leave blank.</b> The Sheriff will fill this out if you choose service by sheriff.

*Instructions for filling out the*  
Verified Waiver of Final Hearing (Form PS31152-2)

Line #	Instructions- DO NOT FILE THIS FORM WITH THE COURT UNTIL 60 DAYS HAVE PASSED SINCE THE FILING OF THE VERIFIED PETITION FOR DISSOLUTION
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the Clerk will assign a number.
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
19	Sign your name under "Your Signature", your spouse must sign their name under "Spouse's Signature"
21-24	Enter your address, under your signature, and your spouse's address under their signature.

*Instructions for filling out the*  
Decree of Dissolution of Marriage (Form #PS-31152-9)

Line #	Instructions
1	Enter the name of the county where you are filing the divorce. After the form is printed, circle the court (Superior or Circuit) in which it is being filed.
2	In the blank after the word "Room," enter the court number.
3	Enter the name of the county where you are filing the divorce. Leave the case number blank because the clerk will assign a number.

Line #	Instructions
5	Enter your full name as Petitioner.
8	Enter your spouse's full name as Respondent.
13	“The parties were married on_____” Enter the day, month, and year that you were married.
13	“...and separated on_____” Enter the day, month, and year that you separated.
14	Enter the name of the person (either you or your spouse) who has lived in the county for the county for the last three months.
14	Enter the name of the county where you are filing these papers.
17	Enter the name of the wife if she is not pregnant.
21	Check this box and enter the number of children that you and your spouse have together.
23-26	Enter the name and date of birth of each child you have with your spouse.
28-126	<b>Leave blank.</b> The judge will fill this out.
129	Enter your name and address.
130-132	Enter your address
133	Enter the name of your spouse.
134-136	Enter the address of your spouse